

**MINUTES OF REGULAR MEETING
OF
GREENSBORO PLANNING BOARD
MARCH 15, 2006**

The Greensboro Planning Board met in regular session on Wednesday, March 15, 2006 at 2:04 pm, in the City Council Chamber, 2nd floor, Melvin Municipal Office Building. Board members present were: Chair Dick Hall, Tim Bryson, Mike Fox, Julius Koonce, and Joel Landau. Planning staff present were Dick Hails, Planning Director, Alec MacIntosh, Ben Woody, Jimmy Person and Ricky Hurley.

Chair Hall called the Planning Board into session.

APPROVAL OF MINUTES OF THE FEBRUARY 15, 2006 REGULAR MEETING

Mr. Fox moved to approve the minutes of the February 16, 2006 regular meeting, seconded by Mr. Bryson. The Board voted 5-0 in favor of the motion. (Ayes: Hall, Bryson, Fox, Koonce, and Landau. Nays: None.)

PUBLIC HEARINGS:

Mr. Rhodes arrived at 2:06 p.m. for the remainder of the meeting.

A. ORDINANCE CHANGING THE STREET NAME OF THE WESTERNMOST SECTION OF BYERS ROAD TO CHAPEL GLEN LANE. (TABLED)

Mr. Person stated that Byers Road has three sections. Next to Lees Chapel Road is the longest section, and the one with the most houses addressed on it. After an elbow bend, the next section runs westward to another elbow bend. After that second bend, the third section runs southward to the end of the street. This third section is proposed for a name change. A subdivision was recorded in 1965, showing this section of Byers Road. However, the travel way and the street name were already in use prior to then. The section requested for a name change is paved and City-maintained. 10 houses are addressed on it. A preliminary subdivision plat has been approved that continues the alignment of this third section both northward and southward, under the street name Chapel Glen Drive. The east-west section of Byers Road will tee into this alignment. It is City policy that a continuous alignment of a local street carry one street name wherever practical. The TRC recommends the street name change.

At the public hearing, Joe Westmoreland, 4623 Byers Road, stated that there were several residents in this area that have lived there for many, many years. These residents are opposed to the name change of their section of the street because of all the changes, including street numbers, that would have to be made to their personal information, driver licenses, banking information, etc. He presented a petition signed by all the residents showing their opposition to the name change.

Chair Hall suggested that it may be possible for staff to talk with the developer and residents to see if another name such as Byers Oak Lane or Byers Chapel or something similar could be used for this area.

After some discussion, the Board tabled this item until a later meeting

B. ORDINANCE AMENDING SECTION 30-5-2.59, MIXED DEVELOPMENTS, OF THE GREENSBORO DEVELOPMENT ORDINANCE TO PERMIT RESIDENTIAL UNITS ON OR BELOW THE GROUND FLOOR IN LARGE MIXED USE DEVELOPMENTS. (RECOMMENDED)

Ben Woody stated that this amendment is in conjunction with a development proposed by Starmount Company expanding Friendly Shopping Center. The amendment would allow a building in a large mixed use development to be residential on all floors. One of the current requirements is that the residential be located above the ground floor, with non-residential on the bottom floor. This proposed amendment went before the Multijurisdictional Development Ordinance Committee (MDOC) earlier this month, and the MDOC recommended in favor of it.

At the public hearing, Ron Wilson, Starmount Company, stated that they are trying to develop a mixed use development that is in keeping with the Comprehensive Plan. A mixed use component is called for in this development. It is felt that this amendment maintains the integrity of the intent of the current ordinance while providing flexibility in these larger developments.

Derek Allen, attorney representing Starmount Company, stated that the proposed amendment will work well with this kind of large scale development.

Mr. Fox moved to recommend the amendment to City Council, seconded by Mr. Landau. The Board voted 6-0 in favor of the motion. (Ayes: Hall, Bryson, Fox, Koonce, Landau and Rhodes. Nays: None.)

Mr. Fox stated that he feels this is a good idea in general and the Board is still struggling with mixed use and the definition and concept in this city and feels this is a good solution to one part of it. He thinks we should look a little broader at how mixed use is defined and it should be encouraged more in our city.

C. ORDINANCE AMENDING SECTION 30-2-2.7, GENERAL, OF THE GREENSBORO DEVELOPMENT ORDINANCE TO REVISE THE DEFINITION OF "SUBDIVISION" TO CONFORM TO REVISED NC ENABLING ACT AND AMENDING SUBSECTION 30-3-4.1(A), GRADING PERMITS, SUBSECTION 30-7-1.5(C), WATERSHED DEVELOPMENT PLAN, AND SECTION 30-3-11.3, COORDINATION WITH OTHER PROCEDURES, TO ALLOW GRADING PERMITS TO BE ISSUED EARLIER IN THE DEVELOPMENT APPROVAL PROCESS. (RECOMMENDED)

Steve Galanti, Watershed Planner, stated that this is a two-part text amendment. The first part comes about from a 2005 revision of the NC General Statutes, the enabling legislation. The definition of "subdivision" now clarifies that when you have a piece of property and divide it, the entire parcel - whether you are selling each lot or not - is considered a subdivision. The text amendment before the Board tracks that change. The second part comes about from work with the engineering community and relates to the plan review process. Today in the Ordinance it is required within a water supply watershed that a watershed development plan be approved by the Technical Review Committee (TRC) before the site can be graded. The engineers would like to have the chance to do the watershed development plan, which in most cases includes designing a pond or water quality device, later in the process, when the construction plans for streets and utilities are prepared.

Chair Hall asked if there was anyone wishing to speak on this matter and no one came forward.

Mr. Bryson moved to recommend the amendment to City Council, seconded by Mr. Koonce. The Board voted 6-0 in favor of the motion. (Ayes: Hall, Bryson, Fox, Koonce, Landau and Rhodes. Nays: None.)

UNIFIED DEVELOPMENT PLAN - COTTONMILL SQUARE – MERRITT DRIVE, HEWITT STREET, AND SPRING GARDEN STREET – 18.33 ACRES – FOR CARL W. JOHNSON. (APPROVED)

Jimmy Person described the two main purposes for a unified development plan: 1) to specify the permitted uses, the amounts of development in various sections, and the dimensional standards that will govern the development and 2) to place these development standards into a recordable form, so as to provide notice to future owners and occupants. The UDP also shows proposed sign and

landscaping requirements. The developer may borrow existing standards from the Development Ordinance, propose different ones, or do a combination. This plan does a combination, borrowing from the Ordinance for landscaping, sign, lot size, and accessory building standards and proposing its own standards for building setbacks. Subsequent preliminary plats will show lot lines, utilities, etc. for TRC approval. The TRC recommends approval.

Mr. Landau moved to approve the Unified Development Plan, seconded by Mr. Bryson. The Board voted 6-0 in favor of the motion. (Ayes: Hall, Bryson, Fox, Koonce, Landau and Rhodes. Nays: None.)

ANNEXATION PETITIONS:

C. PROPERTY OF J. PATRICK AND DAWN M. SHORT; PLEASANT GARDEN PROPERTIES, LLC; AND CHARLES E. AND ANNIE P. HUMBLE WEST OF PLEASANT GARDEN ROAD AND NORTH OF NEW INTERSTATE 85 – 114.79-ACRE CONTIGUOUS ANNEXATION. (RECOMMENDED)

Mr. MacIntosh stated that this property abuts the primary city limits on its west side. It also abuts a previous satellite annexation, a portion of the southern and eastern Urban Loop Thoroughfare, on part of its south side. If this property is annexed, it will link the primary city limits to a series of previous satellite annexations extending northeastward to include Replacements Limited, thereby bringing those satellite annexations within the primary city limits. This property is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan. The prospective developer also controls the property between South Elm-Eugene Street and this annexation. There is a 12-inch City water line in S. Elm-Eugene Street. There is an 8-inch sewer line about 700 feet north of the eastern part of the property, toward which most of the property drains, and there is a 12-inch sewer line about 1,100 feet northwest of the western part of the property. Fire service can be provided to this property with moderate difficulty. The response times from existing fire stations are greater than standards. A proposed future fire station will improve this situation. The Police Department estimates substantial impact at full buildout, with a potential demand for 0.4 officers for routine matters and additional service demands for accidents at nearby intersections, shoplifting, vandalism, etc. Other City services can be provided in a manner similar to their provision to the previously-annexed properties nearby. The TRC recommends the annexation.

In response to questions, Jennifer Fountain, attorney representing Carrolland Investment, stated that this is proposed as a strictly commercial development, to take place in six months to a year depending on rezoning, Comp Plan changes, etc.

Mr. Rhodes moved to recommend the annexation to City Council, seconded by Mr. Koonce. The Board voted 6-0 in favor of the motion. (Ayes: Hall, Bryson, Fox, Koonce, Landau and Rhodes. Nays: None.)

A. PROPERTY OF D. STONE BUILDERS AT 349 AIR HARBOR ROAD – 1.827-ACRE CONTIGUOUS ANNEXATION. (RECOMMENDED)

AND

B. PROPERTIES OF D. STONE BUILDERS AND CHRIST COMMUNITY CHURCH, ARP, INC. WEST OF NORTHERN SHORES LANE AND EAST OF WOODPINE LANE – 14.673-ACRE CONTIGUOUS ANNEXATION. (RECOMMENDED)

Mr. MacIntosh stated that both of these properties abut the primary city limits, the larger one on its south side, the smaller one all but its west side. These properties are within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan. The prospective use for these properties, and for the previously-annexed property between them, is single family residential with 30-some homes in the areas being annexed, plus a back driveway or possibly a street stub to the property of Christ Community Church. There is a 6-inch City water line stubbed to the property line in Northern Shores Lane, as well as an 8-inch sewer line. Fire service can be provided to this property with low

difficulty. The Police Department estimates moderate impact at full buildout, with a potential demand for 0.5 officers. Other City services can be provided in a manner similar to their provision to the previously-annexed abutting properties. The TRC recommends the annexations.

Mr. Bryson moved to recommend the annexation (A) to City Council, seconded by Mr. Rhodes. The Board voted 6-0 in favor of the motion. (Ayes: Hall, Bryson, Fox, Koonce, Landau and Rhodes. Nays: None.)

Mr. Koonce moved to recommend the annexation (B) to City Council, seconded by Mr. Bryson. The Board voted 6-0 in favor of the motion. (Ayes: Hall, Bryson, Fox, Koonce, Landau and Rhodes. Nays: None.)

D. PROPERTY OF PAUL B. AND DALE M. TALLEY WEST OF WOODS END LANE – 6.77-ACRE CONTIGUOUS ANNEXATION. (RECOMMENDED)

Mr. MacIntosh stated that this property abuts the primary city limits on its southwest and west sides. It is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan. The prospective use for this property is single family residential, with 20-30 homes in the area being annexed. There is a 6-inch City water line in Woods End Lane, adjacent to the southeast corner of the property. There is an 8-inch sewer line there as well. Fire service can be provided to this property with low difficulty. The Police Department estimates moderate impact at full buildout. Other City services can be provided in a manner similar to their provision to the previously-annexed houses nearby. The TRC recommends the annexation.

Mr. Rhodes moved to recommend the annexation to City Council, seconded by Mr. Koonce. The Board voted 6-0 in favor of the motion. (Ayes: Hall, Bryson, Fox, Koonce, Landau and Rhodes. Nays: None.)

E. PROPERTY OF RICHARD L. AND FRANCES M. BARNES AT 5406 CEDAR FIELD DRIVE – 0.303-ACRE CONTIGUOUS ANNEXATION. (RECOMMENDED)

Mr. MacIntosh stated that this lot with an existing house abuts the primary city limits along its northeast side. It is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan. The house is connected to City water and sewer. Fire service can be provided to this property with low difficulty. The Police Department estimates very minor impact on its service provision. Other City services can be provided in a manner similar to their provision to the previously-annexed houses nearby. The TRC recommends the annexation.

Mr. Bryson moved to recommend the annexation to City Council, seconded by Mr. Rhodes. The Board voted 6-0 in favor of the motion. (Ayes: Hall, Bryson, Fox, Koonce, Landau and Rhodes. Nays: None.)

APPROVAL OF ABSENCES:

The absences of Mr. McIntyre and Mr. Marks were approved.

There being no further business before the Board, the meeting was adjourned at 3:10 p.m.

Respectfully submitted,

Richard W. Hails, AICP
Planning Director

RW/jd